

The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL JOHN SCOTT,

Defendant.

NO. CR20-018RBL

**[proposed] STIPULATED
PROTECTIVE ORDER**

This matter comes before the Court on the parties' Stipulated Motion for a Protective Order regarding discovery materials, as permitted by Fed. R. Crim. P. 16(d). Having considered the record and files herein, the Court finds there is good cause to grant the motion, and hence:

IT IS HEREBY ORDERED that the discovery materials discussed in the Motion for the Protective Order and referred to therein as "Protected Material," marked specially as "Produced Subject to a Protective Order," may be produced to counsel for the defendant in this case.

IT IS FURTHER ORDERED that possession of Protected Material is limited to the attorney of record in this case, and to any investigators, expert witnesses, and other agents the attorneys of record hire in connection with this case (collectively referred to as "the defense team").

1 Notwithstanding the terms of this Order, defense counsel may provide a completed
2 copy of the FDC's Electronic Discovery and Legal Material Authorization Form, and
3 electronic copies of any Protected Material to the Education Department in the Federal
4 Detention Center at SeaTac, Washington. Defendant may review the electronic copies of
5 Protected Material in the FDC Education Department pursuant to BOP and FDC
6 SeaTac's policies and procedures, but will not be permitted to have a copy of the
7 Protected Material in his cell.

8 IT IS HEREBY FURTHER ORDERED that Defendant, defense counsel, and
9 others to whom disclosure of the content of the Protected Material may be necessary to
10 assist with the preparation of the defense, shall not disclose the Protected Material or its
11 contents, other than as necessary for the preparation of defenses at trial and in subsequent
12 appellate proceedings, if necessary.

13 IT IS FURTHER ORDERED that if defense counsel finds it necessary to file any
14 documents marked as "Produced Subject to a Protective Order," the material shall be
15 filed under seal with the Court.

16 Nothing in this Protective Order prohibits defense counsel from showing the
17 Protected Material, or reviewing its contents, with Defendant or with others to whom
18 disclosure may be necessary to assist with the preparation of the defense at trial and in
19 subsequent appellate proceedings, if necessary.

20 Nothing in this Protective Order prohibits defense counsel from disputing the
21 designation of material as Protected Material and, if agreement cannot be reached
22 between the parties, to seeking a determination by this Court.

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1 At the conclusion of the case, including any appellate proceedings, the Protective
2 Material shall be returned to the United States, or destroyed, or otherwise stored in a
3 manner to ensure that it is not subsequently duplicated or disseminated in violation of this
4 Protective Order.

5 DATED this _____ day of May, 2020

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8 HON. RONALD B. LEIGHTON
United States District Judge

9 Presented by:

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11 s/Marci L. Ellsworth
12 MARCI L. ELLSWORTH
Assistant United States Attorney